

NIXON PEABODY

Attorneys at Law

100 Summer Street
Boston, Massachusetts 02110-2131
(617) 345-1000

Fax: (617) 345-1300

PRIVILEGE AND CONFIDENTIALITY NOTICE
 The information in this fax is intended for the named recipients only. It contains privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (617) 345-1000 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

RECEIVED
CENTRAL FAX CENTER

FAX

JUN 1 2007

To:	Company:	Fax #:	Telephone #:
USPTO - Mail Stop AMENDMENT	United States Patent and Trademark Office	(571) 273-8300	

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: David S. Resnick Stephen R. Duly	Date: June 01, 2007	No. of Pages: 5 (including this page)	Client/Matter: 701826-054280
---	---------------------	--	------------------------------

Practitioner's Docket No. 701826-054280

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alexandre Blais et al. Confirm. No.: 1325
 Application No.: 10/626,464 Group No.: 1616
 Filed: 07/24/2003 Examiner: PRYOR, Alton Nathaniel

For: A NEW FERTILIZER AND METHOD FOR PRODUCING SAME

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Facsimile Cover Sheet (1 pg.);
2. Certificate of Transmission (1 pg.);
3. Transmittal Form in duplicate (2 pp.); and
4. Response to Restriction Requirement (1 pg.).

is being sent by facsimile to the U.S. PTO at (571) 273-8300 on the date shown below.

June 1, 2007

Megan L. Stembridge

Signature

 First Class Mail Overnight Mail

Original of the transmitted document will be sent by:

 Hand Delivery This transmission will be the only form of delivery of this document

IF YOU DO NOT RECEIVE ALL OF THESE PAGES, PLEASE CONTACT THE FAX ADMINISTRATOR AS SOON AS POSSIBLE AT: (617) 345-1386. THANK YOU.

CONFIRMATION: DATE SENT: _____ TIME: _____ BY: _____

10604749.1

srl

RECEIVED
CENTRAL FAX CENTER

JUN 1 2007

Practitioner's Docket No. 701826-054280

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alexandre Blais et al. Confirm. No.: 1325
Application No.: 10/626,464 Group No.: 1616
Filed: 07/24/2003 Examiner: PRYOR, Alton Nathaniel

For: A NEW FERTILIZER AND METHOD FOR PRODUCING SAME

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Facsimile Cover Sheet (1 pg.);
2. Certificate of Transmission (1 pg.);
3. Transmittal Form in duplicate (2 pp.); and
4. Response to Restriction Requirement (1 pg.).

is on the date shown below being:

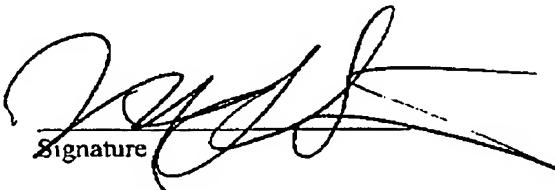
MAILING

deposited with the United States Postal Service
sufficient postage as first class mail in an
envelope addressed to the
MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office at (571) 273-8300.

Signature



Megan L. Stemberge
(type or print name of person certifying)

Date: June 1, 2007

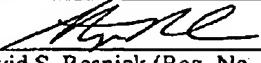
10199535.1

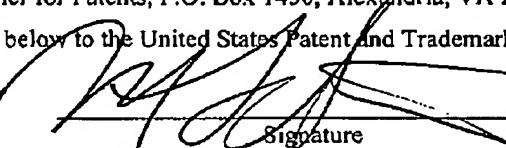
RECEIVED
CENTRAL FAX CENTER

JUN 01 2007

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/626,464
		Filing Date	07/24/2003
		First Named Inventor	Alexandre Blais
		Group Art Unit	WHITEMAN, Brian A
		Examiner Name	1635
Total Number of Pages in This Submission		Attorney Docket Number	
		701826-054280	

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below): _____		
<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Remarks</td> <td style="width: 70%;"> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-0850 for the above identified docket number. </td> </tr> </table>			Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-0850 for the above identified docket number.
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-0850 for the above identified docket number.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Nixon Peabody LLP 100 Summer Street Boston, MA 02110-2131
Signature	
Name	David S. Resnick (Reg. No. 34,235)/Stephen R. Duly (Reg. No. 56,183)
Date	June 1, 2007

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input checked="" type="checkbox"/> deposited with the United States Postal Service "Express Mail Post Office to Addressee," Label No. EV 652 981 027 US service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.	
_____ June 1, 2007 _____ Date	 Signature Megan L. Stenbridge Typed or printed name

10166398.1

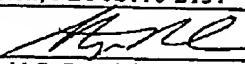
RECEIVED
CENTRAL FAX CENTER

JUN 1 2007

COPY

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/626,464
		Filing Date	07/24/2003
		First Named Inventor	Alexandre Blais
		Group Art Unit	WHITEMAN, Brian A
		Examiner Name	1635
Total Number of Pages in This Submission		Attorney Docket Number	701826-054280

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below): _____
Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-0850 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Nixon Peabody LLP 100 Summer Street Boston, MA 02110-2131
Signature	
Name	David S. Resnick (Reg. No. 34,235)/Stephen R. Duly (Reg. No. 56,183)
Date	June 1, 2007

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service "Express Mail Post Office to Addressee," Label No. EV 652 981 027 US service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

June 1, 2007

Date

Signature

Megan L. Stemberger

Typed or printed name

RECEIVED
CENTRAL FAX CENTER

Practitioner's Docket No. 701826-054280

JUN 1 2007
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

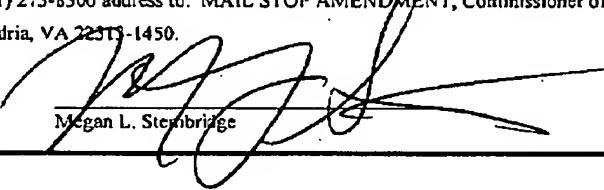
In re application of: Alexandre Blais et al. Confirm. No.: 1325
 Application No.: 10/626,464 Group No.: 1616
 Filed: 07/24/2003 Examiner: PRYOR, Alton Nathaniel

For: A NEW FERTILIZER AND METHOD FOR PRODUCING SAME

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence, on the date shown below, is being faxed to the U.S. PTO General Facsimile No. (571) 273-8300 address to: MAIL STOP AMENDMENT, Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450.

Date: June 1, 2007


Megan L. Steinbridge

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Office Action mailed May 3, 2007, Applicants elect the species of (1) a granular fertilizer, (as defined at paragraph [0023]) containing any or all of nitrogen, phosphate, and of (2) *Bacillus subtilis*. Claims 1-21 are readable thereon.

Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

In the event that any additional fees are required, the Commissioner is hereby authorized to charge our deposit account No. 50-0850.

Date: June 1, 2007

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)
 Stephen R. Duly (Reg. No. 56,183)
 NIXON PEABODY LLP
 100 Summer Street
 Boston, MA 02110-2131
 Tel: (617) 345-6054/1367

10604738.1